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Plaintiff National Air Cargo, Inc.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

GLOBAL BTG LLC,
Plaintiff,
v.
NATIONAL AIR CARGO, INC.,
Defendant-Counterclaim Plaintiff,
v.
GLOBAL BTG LLC, JACOB HODGES
and DOES 1-5,
Counterclaim Defendants.

Case No. CV 11-01657 MMM (JCGx)

The Honorable Margaret M. Morrow

**DECLARATION OF GLEN
JOERGER IN SUPPORT OF
NATIONAL AIR CARGO, INC.'S
OPPOSITION TO GLOBAL BTG
LLC'S MOTION FOR PARTIAL
SUMMARY JUDGMENT**

[National's Opposition to Global's
Motion, National's Statement of
Genuine Issues of Material Fact,
Declaration of Christopher C. Chiou,
Objections to Evidence Submitted by
Global, and Proposed Order filed
concurrently herewith]

Discovery Cutoff: June 5, 2012
Pretrial Conference: Jan. 28, 2013
Trial Date: Feb. 19, 2013

Hearing Date: December 10, 2012
Hearing Time: 10:00 a.m.
Courtroom: 780

DECLARATION OF GLEN JOERGER

I, Glen Joerger, do hereby declare,

1. I am the Executive Vice President of National Air Cargo Holdings, Inc. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would competently testify to them.

2. I was one of National's primary contacts with Jacob Hodges. During the July 2010 timeframe, I engaged in several discussions with Mr. Hodges regarding a letter of intent.

3. Before National executed the letter of intent on July 18, 2010, National repeatedly informed Mr. Hodges that — in order to satisfy the bankruptcy trustee of Japan Air Lines — we needed to quickly line up financing and obtain a commitment letter from a qualified lender by July 22, 2010. The five Boeing 747 aircraft that National planned to purchase from JAL would allow National to obtain additional government contracts and also result in economics of scale.

4. Mr. Hodges indicated he understood the importance of the JAL aircraft to National and acknowledged that the commitment letter needed to be obtained quickly. National entered the letter of intent on July 18, 2010 because Mr. Hodges claimed that he had already arranged soft commitments for financing, so there was a high probability that he would be able to provide the firm commitment from a qualified lender by July 22, 2010.

5. Before the letter of intent was executed, neither I (nor anyone else at National) told Global that National's prior contacts with possible sources of financing were limited to two or three lenders.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Declaration is executed this 13th day of November, 2012 at Florida.

/s/ Glen Joerger

Glen Joerger